

MICHAEL JAY BERGER (State Bar # 100291)
LAW OFFICES OF MICHAEL JAY BERGER
9454 Wilshire Boulevard, 6th Floor
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Proposed Counsel for Debtor-in-Possession
Mr. Tortilla, Inc.

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - SAN FERNANDO VALLEY DIVISION

In re:

Mr. Tortilla, Inc.

Debtor-in-Possession.

CASE NO.: 1:24-BK-10228-VK

Chapter 11

**DECLARATION OF YATHIDA
NIPHA REGARDING SERVICE BY
EMAIL OF THE (1) DEBTOR'S
NOTICE OF MOTION AND MOTION
IN CHAPTER 11 CASE FOR ORDER
AUTHORIZING DEBTOR TO
PROVIDE ADEQUATE ASSURANCE
OF PAYMENT TO UTILITY
SERVICE PROVIDERS [11 U.S.C. §
366] (2) NOTICE OF HEARING ON
THE UTILITIES MOTION; (3)
ORDER SETTING THE UTILITIES
MOTION FOR HEARING; AND (4)
SUPPLEMENTAL ZOOM NOTICE
OF HEARING**

Date: February 29, 2024
Time: 1:30 p.m.
Ctrm: 301 [via ZoomGov]
Place: 21041 Burbank Blvd., 3rd Floor
Woodland Hills, CA 91367

DECLARATION OF YATHIDA NIPHA

I, Yathida Nipha, declare as follows:

1. I am currently employed by Law Offices of Michael Jay Berger as a paralegal. I am over the age of 18 and not a party to the within action. My business address is 9454 Wilshire Blvd., 6th Floor, Beverly Hills, California 90212. I have personal knowledge of the facts set forth herein and if called as a witness, I could and would competently testify to those facts in a court of law.

2. On February 22, 2024, at 11:54 a.m. p.m., I emailed the Debtor's (1) Emergency Motion In Chapter 11 Case For Order Authorizing Debtor To Provide Adequate Assurance Of Payment To Utility Service Providers [11 U.S.C. § 366] ("Utilities Motion"); (2) Notice of Hearing on the Utilities Motion; (3) Supplemental Zoom Notice of the Utilities Motion; and (4) Orders Setting the Utilities Motion for hearing on the following parties:

U.S. Trustee:
Katherine Bunker
kate.bunker@usdoj.gov

SoCalGas
customerservice@socalgas.com

Republic Services
ccet@republicservices.com

Southern California Edison
netbill@sce.com

SECURED CREDITORS:

8FIG Advance
Attn: Legal Dept.
legal@8fig.com;

mstout@pandfieldstout.com

Amazon Capital Services:
Attn: Lauren Dorsett & Michael Gearin
laurendorsett@dwt.com
mike.gearin@klgates.com

Blue Bridge Financial
Attn: Legal Dept.
Legal@bluebridgefinancial.com

Bluevine
Attn: Officer
Support@bluevine.com

jcarney@pandbcapitalgroup.com

Cedar Advance
Attn: Simon Cedar
simon@cedaradvance.com

Corporation Service Company
SPRFiling@escglobal.com

CT Corporation
uccfilingreturn@wolterskluwer.com

Fasanara Securitisation S.A. Acting
info@northdata.com

Financial Pacific Leasing
Attn: Allison Sweet
ASweet@FinPac.com

First Corporate Resolution
SPRS@FICOSO.COM

Huntington Valley Bank
Attn: Erin
erin@braavobank.com

Mercury Capital
info@mcadv.com

Metropolitan Capital Bank & Trust

Attn: Jeffrey Brown

rrabin@thompsoncoburn.com ; jbrown@thompsoncoburn.com; chanson@thompsoncoburn.com

Parkside Funding Group LLC

Attn: Adriana Harris

Adriana@nomasrecovery.com

Partners Personnel Management Services, LLC

Attn: Cherly Canty

CCanty@espererholdings.com

Robert Reiser and Company

uccfilingreturn@wolterskluwer.com

Sand Park Capital

Attn: Simon Cedar

simon@cedaradvance.com

Sellers Funding

Attn: Officer

osaro@sellersfi.com

Shopify Capital

Legal@bluebridgefinancial.com; customercare@webbank.com

Slope Advance

Attn: Ashish Jain

ashish@slope.com

Spartan Capital

Attn: Jason Gang

jason@jasongang.com

Stor RB One Limited

uccfilingreturn@wolterskluwer.com

U.S. Business Administration

Attn: Elan Levey

elan.levey@usdoj.gov

1 I declare under penalty of perjury that the foregoing is true and correct. Executed
2 this 22nd day of February 2024, at Beverly Hills, California.
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4

5 By: 
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Yathida Nipha
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Yathida Nipha

To: 'kate.bunker@usdoj.gov'; 'customerservice@socalgas.com'; 'netbill@sce.com';
'ccet@republicservices.com'; 'legal@8fig.com'; 'laurendorsett@dwt.com';
'mike.gearin@klgates.com'; 'Legal@bluebridgefinancial.com'; 'Support@bluevine.com';
'simon@cedaradvance.com'; 'SPRFiling@cscglobal.com';
'uccfilingreturn@wolterskluwer.com'; 'info@northdata.com'; 'ASweet@FinPac.com';
'SPRS@FICOSO.COM'; 'erin@braavobank.com'; 'info@mcadv.com';
'rrabin@thompsoncoburn.com'; 'jbrown@thompsoncoburn.com';
'Adriana@nomasrecovery.com'; 'CCanty@espererholdings.com'; 'osaro@sellersfi.com';
'ashish@slope.com'; 'jason@jasongang.com'; 'elan.levvey@usdoj.gov'
Cc: Sofya Davtyan; Michael Berger
Subject: RE: Mr. Tortilla, Inc. Hearing on Utilities Motion Set for 2/29/2024 at 1:30 p.m.

From: Yathida Nipha

Sent: Thursday, February 22, 2024 11:54 AM

To: 'kate.bunker@usdoj.gov' <kate.bunker@usdoj.gov>; 'customerservice@socalgas.com' <customerservice@socalgas.com>; 'netbill@sce.com' <netbill@sce.com>; 'ccet@republicservices.com' <ccet@republicservices.com>; 'legal@8fig.com' <legal@8fig.com>; 'laurendorsett@dwt.com' <laurendorsett@dwt.com>; 'mike.gearin@klgates.com' <mike.gearin@klgates.com>; 'Legal@bluebridgefinancial.com' <Legal@bluebridgefinancial.com>; 'Support@bluevine.com' <Support@bluevine.com>; 'simon@cedaradvance.com' <simon@cedaradvance.com>; 'SPRFiling@cscglobal.com' <SPRFiling@cscglobal.com>; 'uccfilingreturn@wolterskluwer.com' <uccfilingreturn@wolterskluwer.com>; 'info@northdata.com' <info@northdata.com>; 'ASweet@FinPac.com' <ASweet@FinPac.com>; 'SPRS@FICOSO.COM' <SPRS@FICOSO.COM>; 'erin@braavobank.com' <erin@braavobank.com>; 'info@mcadv.com' <info@mcadv.com>; 'rrabin@thompsoncoburn.com' <rrabin@thompsoncoburn.com>; 'jbrown@thompsoncoburn.com' <jbrown@thompsoncoburn.com>; 'Adriana@nomasrecovery.com' <Adriana@nomasrecovery.com>; 'CCanty@espererholdings.com' <CCanty@espererholdings.com>; 'osaro@sellersfi.com' <osaro@sellersfi.com>; 'ashish@slope.com' <ashish@slope.com>; 'jason@jasongang.com' <jason@jasongang.com>; 'elan.levvey@usdoj.gov' <elan.levvey@usdoj.gov>
Cc: Sofya Davtyan <Sofya.Davtyan@bankruptcypower.com>; Michael Berger <Michael.Berger@bankruptcypower.com>
Subject: Mr. Tortilla, Inc. Hearing on Utilities Motion Set for 2/29/2024 at 1:30 p.m.

To the United States Trustee, Secured Creditors and Utility Service Providers:

PLEASE TAKE NOTICE that the hearing on Debtor's Emergency Motion In Chapter 11 Case for Order Authorizing Debtor To Provide Adequate Assurance of Payment to Utility Service Providers [11 U.S.C. § 366] will take place on **February 29, 2024 at 1:30 p.m.** in Courtroom 301 of the above-referenced Courthouse located at 21041 Burbank Blvd., 3rd Fl., Woodland Hills, California 91367.

PLEASE TAKE FURTHER NOTICE that any oppositions and replies may be made orally at the hearing. Attached with this email please find, 1. Utilities Motion, 2. Notice of Hearing, 3. Supplemental Notice of Hearing; and 4. Order Setting Hearing on Shortened Notice.

Join CACB ZoomGov Meeting Video/audio web address:

<https://cacb.zoomgov.com/j/1618218496>

Meeting ID: 161 821 8496

Password: 088603

Join by Telephone

Telephone conference lines: 1-669-254-5252 OR 1-646-828-7666

Meeting ID: 161 821 8496

Password: 088603

Thank you,

Yathida Nipha-Roshan

Paralegal to Attorney Sofya Davtyan

Law Offices of Michael Jay Berger

9454 Wilshire Boulevard, 6th Floor

Beverly Hills, CA 90212-2929

Tel. (310) 271-6223

Fax (310) 271-9805

Website www.bankruptcypower.com

CONFIDENTIALITY NOTICE: The following message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the sender of this communication or by telephone at (310) 271-6223.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
9454 Wilshire Blvd., 6th Fl., Beverly Hills, CA 90212

A true and correct copy of the foregoing document entitled (*specify*): **DECLARATION OF YATHIDA NIPHA REGARDING SERVICE BY EMAIL OF THE (1) DEBTOR'S NOTICE OF MOTION AND MOTION IN CHAPTER 11 CASE FOR ORDER AUTHORIZING DEBTOR TO PROVIDE ADEQUATE ASSURANCE OF PAYMENT TO UTILITY SERVICE PROVIDERS [11 U.S.C. § 366] (2) NOTICE OF HEARING ON THE UTILITIES MOTION; (3) ORDER SETTING THE UTILITIES MOTION FOR HEARING; AND (4) SUPPLEMENTAL ZOOM NOTICE OF HEARING** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 2/22/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Debtor's Proposed Counsel: Michael Jay Berger michael.berger@bankruptcypower.com,
yathida.nipha@bankruptcypower.com;michael.berger@ecf.inforruptcy.com
U.S. Trustee: Katherine Bunker kate.bunker@usdoj.gov
United States Trustee (SV) ustpreion16.wh.ecf@usdoj.gov

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on 2/22/2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Honorable Victoria Kaufman
United States Bankruptcy Court
Central District of California
21041 Burbank Boulevard, Suite 354 / Courtroom 301
Woodland Hills, CA 91367 United States Bankruptcy Court

☒ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2/22/2024

Date

Peter Garza

Printed Name

/s/Peter Garza

Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.